IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 20408 of 2004(D)

PETITIONER:

V.SREEKUMARAN NAIR, PERSONAL MANAGER KERALA STATE CO-OPERATIVE COIR MARKETING FEDERATION LTD. NO.679, (COIRFED), P.B.NO.4616, ALAPPUZHA.

BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR, SRI.PIRAPPANCODE V.S.SUDHIR.

RESPONDENTS:
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1. **DIRECTOR OF COIR DEVELOPMENT AND REGISTRAR OF COIR CO-OPERATIVES, THIRUVANANTHAPURAM.**
2. **THE KERALA STATE CO-OPERATIVE COIR MARKETING FEDERATION LTD.NO.679, ALAPPUZHA, REPRESENTED BY ITS MANAGING DIRECTOR.**
3. **GOVERNMENT OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.**

W.P.(C). NO.20408/2004:

***ADDL.R4. KERALA STATE COIRFED EMPLOYEES CONFEDERATION,
(INTUC (I), COIRFED, ALAPPUZHA, REPRESENTED
BY ITS PRESIDENT, A.A. SHUKKOOR,
KURUMPELIL HOUSE, SEA VIEW WARD,
ALAPPUZHA.**

***ADDL.R4. IS IMPLEADED AS PER ORDER IN I.A. 17035/04
DATED 17/12/2004.**

**BY ADV.SRI.A.N.RAJAN BABU, SC, COIRFED,
GOVERNMENT PLEADER SRI. MANOJ KUMAR,
ADV.SRI.K.KARTHIKEYA PANICKER,
SMT.DAYA K. PANICKER,
SRI.V.G.ARUN,
SRI.HARIHARAPUTHRAHAN.**

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.20408/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER NO. E3-3065/687 DTD. 04/06/1994 OF THE MANAGING DIRECTOR, COIRFED.

EXT.P.2: COPY OF THE ORDER NO. E3.1880/20 DTD. 06/04/1999 OF THE MANAGING DIRECTOR, COIRFED.

EXT.P.3: COPY OF THE ORDER NO. CS2/8187/01 DTD. 24/06/2004 OF THE R.1.

EXT.P.4: COPY OF THE GOVERNMENT LETTER NO. F1-1 88 T. 13 DTD. 25/11/1988 OF THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION).

EXT.P.5: COPY OF THE LETTER NO. 94873/H1/91-1 DTD. 17/12/1991 OF THE GOVERNMENT OF TAMIL NADU.

EXT.P.6: COPY OF THE PETITION DTD. 30/06/2004 SUBMITTED BY THE PETITIONER BEFORE THE HON'BLE MINISTER FOR AGRICULTURE AND COIR, KERALA.

EXT.P.7: COPY OF THE LETTER NO. E3/1880/424 DTD. 27/04/2001 OF THE MANAGING DIRECTOR, COIRFED.

EXT.P.8: COPY OF THE ADVERTISEMENT PUBLISHED IN THE INDIAN EXPRESS DAILY DTD. 20/04/1989.

EXT.P.9: COPY OF THE STATEMENT CONTAINING THE TURN OVER DETAILS OF COIRFED FOR THE PERIOD FROM 1979-1980 TO 2000-2001.

EXT.P.10: COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE BOARD OF DIRECTORS OF COIRFED DTD. 24/07/1991.

EXT.P.11: COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE R.1. DTD. 23/11/1992.

EXT.P.12: COPY OF THE STAF PATTERN WHICH WAS BROUGHT IN THE PLACE OF THE REPEALED STAFF PATTERN IN 1988.

EXT.P.13: COPY OF THE ORDER NO. CS2/14368/93 DTD. 27/05/1994 OF THE R.1.

EXT.P.14: COPY OF THE LETTER NO. CS2/6574/05 DTD. 20/12/2005 OF THE R.1. ADDRESSED TO THE R.2.

EXT.P.15: COPY OF THE STATEMENT WITHOUT EXHIBITS FIELD BY THE R.3. IN O.P. 11737/2001.

W.P.(C). NO.20408/2004:

RESPONDENT'S EXHIBITS:

EXT.R4.A: COPY OF THE LETTER NO.D 458/93/609 DTD. 10/06/1993 ISSUED BY R.2.

EXT.R4.B: COPY OF THE ORDER NO. E3/1802/2947 DTD. 30/12/1993 ISSUED BY R.2.

EXT.R4.C: COPY OF THE ORDER NO. E3/3065/987 DTD. 04/06/1994 ISSUED BY R.2.

EXT.R4.D: COPY OF THE ORDER NO. E3/1802/1026 DTD. 15/07/1996 ISSUED BY R.2. ISSUED BY R.2.

EXT.R4.E: COPY OF THE ORDER NO. E1/1802/1413 DTD. 13/11/1996.

EXT.R4.F: COPY OF THE ORDER NO. E1/897/VOL.II/1849 DTD. 29/09/1997 ISSUED BY R.2.

EXT.R4.G: COPY OF THE ORDER NO. E3/1802/562 DTD. 23/04/1999 ISSUED BY R2.

EXT. R4.H: COPY OF THE STAFF PATTERN DTD. NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH J.

W.P.(C) No.20408 of 2004

Dated 4th July, 2007.

J U D G M E N T

Petitioner is aggrieved by Ext.P3 order passed by the first respondent. Since the petitioner has an effective statutory remedy of appeal before the Government, it is not necessary for this Court to go into the factual disputes involved in the case. Accordingly, the writ petition is disposed of as follows :-

In the event of the petitioner filing an appeal before the Government within two months from today, the same shall be considered and appropriate orders in accordance with law with notice to the petitioner will be passed, within another four months. It will be open to the petitioner to take all available contentions before the Government and the Government will pass an order adverting to such contentions. The interim order passed by this Court on 12.7.2004 will continue till orders are passed by the Government.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 4th July, 2007.